



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application

No. 09/848,937

Walton et al.

Examiner: Jason E. Mattis

Filed: May 3, 2001

For: Method and Apparatus For
Controlling Uplink Transmissions
of a Wireless Communication
System

) Group No. 2665

TERMINAL DISCLAIMER OVER A PRIOR PATENT

Mail Stop Amendment
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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

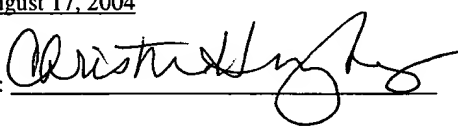
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Attorney Docket No.: 010071

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This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record.

The terminal disclaimer fee under 37 CFR 1.20(d) is included.

Respectfully submitted,

Dated: August 17, 2004

By: 
Rupit Patel, Reg. No. 53,441
(858) 651-7435

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5787
Facsimile: (858) 658-2502